

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services - Allegations against Dr.G.Bala Kishan Rao, Retired Civil Surgeon Specialist - Departmental proceedings initiated - Appointment of Enquiry Officer - Orders - Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.2) DEPARTMENT

G.O.RT.No. 578

Dated: 05-09-2015
Read the following:

- 1) G.O.Rt.No.1208, HM&FW (VC.II) Dept., dt.16-02-2009.
- 2) Govt. Memo.No.1490/VC.II.2/2009-13, dt.10-02-2010.
- 3) Inquiry Report of Joint Commissioner (G), O/o Commissioner, APVVP, Hyderabad dated 29-05-2010.
- 4) Govt.Lr.No.1490/VC.II.2/2009-17, dated 04-09-2010.
- 5) Enquiry Report of Taskforce Committee dt.26-10-2010 received through the Commissioner, APVVP, Hyderabad Lr.Rc.No.916/VC.A/2009, dated 21-12-2010.
- 6) G.O.Rt.No.271, HM&FW (VC.II.2) Dept., dt.02-02-2011.
- 7) Inquiry Report of RDM&HS, Hyderabad Lr.Rc.No.Spl./Peshi/RDH/2011, dt.06-06-2011 received through Commissioner, APVVP Lr.rc.No.916/VC.A/2009, dated 07-06-2012.
- 8) Govt. SCN Memo.No.1490/VC.II.2/2009-27, dated 21-10-2011.
- 9) Explanation of Dr.G.Bala Kishan Rao, received through Commissioner, APVVP Lr.rc.No.916/VC.A/2009, dated 19-01-2012.
- 10) G.O.Ms.No.165, HM&FW (VC.II.2) Dept., dt.08-08-2012.
- 11) Orders of Hon'ble APAT, Hyderabad dated 06-02-2013 in O.A.No.8927/2012 filed by Dr.G.Bala Kishan Rao,
- 12) G.O.Ms.No.152, HM&FW (VC.II) Dept., dt.11-09-2013.
- 13) Govt. Memo.No.1490/VC.II.2/2009-39, dt.11-09-2013.
- 14) From the Commissioner, APVVP Lr.rc.No.916/VC.A/2009, dt.22-10-2013.
- 15) Govt. Memo.No.1490/VC/2/2009-40, dated 16-03-2015.
- 16) From the Commissioner, TVVP, Lr.Rc.No.916/VC.A /2009, dt.27.07.2015

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Whereas, Dr.G.Bala Kishan Rao, Retired Civil Surgeon Specialist, while serving as In-charge District Coordinator of Hospital Services, Nizamabad and Area Hospital, Kamareddy, charges were issued on the allegations of corruption and irregularities in administration, in the reference 1st read above.

2. In the Memo 2nd read above, the Joint Commissioner (General), Office of the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad was appointed as Inquiring Authority to inquire into the charges framed in the reference 1st read above against the said Dr.G.Bala Kishan Rao, Retired Civil Surgeon Specialist, formerly In-charge District Coordinator and Hospital Services, Nizamabad.

3. And whereas in the reference 3rd read above, the Joint Commissioner (General), Office of the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad has submitted his Enquiry Report to Government.

4. And whereas in the reference 4th read above, the Government (disciplinary authority) felt that the Enquiry Officer report submitted by the Joint Commissioner (General) in the reference 3rd read above is perfunctory and decided that the entire case be re-enquired by constituting a task force and requested the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad to constitute a task force and entrust this case to the Task force and send a report to Government.

(P.T.O.)

5. And whereas in the reference 5th read above, the Commissioner, A.P. Vaidya Vidhana Parishad has furnished Report of the Task Force Committee.

6. And whereas after examination of the both the enquiry reports, the Regional Director of Medical & Health Services, Hyderabad was appointed as Inquiry authority into the charges framed in the reference 6th read above and the Enquiry Officer has submitted his report in the reference 7th read above, wherein he has been held proved against the delinquent officer.

7. And whereas in the reference 8th read above, the Enquiry Report submitted by Regional Director of Medical & Health Services has been considered that the charges framed against the delinquent officer have been proved and provisionally concluded to impose a major penalty on the Delinquent Officer and accordingly communicated the Enquiry Officer Report to the individual as to why a major penalty should not imposed against him for the charge of irregularities committed by him. The individual has submitted his explanation received in the reference 9th read above.

8. After obtaining the concurrence of A.P. Public Service Commission, the Government have issued orders vide GOMs.No.165, Health, Medical & Family Welfare (VC.II.2) Department, dated 08-08-2012 imposing a penalty of stoppage of three Annual Grade Increments with cumulative effect on the Charged Officer vide reference 10th read above.

9. Aggrieved by the said orders, the Charged Officer has filed O.A. No.8927/2012 in Hon'ble Tribunal. The Hon'ble Tribunal in its orders dt.06-02-2013 in O.A.No.8927/2012. Keeping in view the earlier decisions of High Court allowed the O.A. and set-aside the G.O.Ms.No.165, Health, Medical & Family Welfare (VC.II.2) Department, dated 08-08-2012 in the reference 11th read above.

10. Therefore, the orders issued in G.O.Ms.No.165, dated 08-08-012 imposing a penalty of stoppage of three Annual Grade Increments with cumulative effect on Dr.G.Bala Kishan Rao, Civil Surgeon Specialist have been cancelled in G.O.Ms.No.152, Health, Medical & Family Welfare (VC.II.2) Department, dated 11-09-2013 in the reference 12th read above.

11. In the reference 13th read above, after examination of the A.P. Administrative Tribunal orders and keeping in view of the earlier decisions of High court quoted by A.P. Administrative Tribunal in their orders, remitted the Enquiry Report to the 1st Enquiry Officer [Joint Commissioner (General), Office of the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad to conduct further enquiry as per Rule, 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991. However, Enquiry Officer retired from service on 30-06-2013.

12. In the reference 14th read above, the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad has informed that the Joint Commissioner (General), Office of the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad is not available in his office to conduct enquiry against Dr.G.Bala Kishan Rao and the Vigilance Officer, Office of the Commissioner, A.P. Vaidya Vidhana Parishad has been kept In-charge as Joint Commissioner (General), as a local arrangement. He has therefore, requested the Government to issue necessary orders in the matter.

13. In the reference 15th read above, the Commissioner, Telanagana Vaidya Vidhana Parishad, Hyderabad has been requested to instruct the Joint Commissioner (General) (In-charge) who so ever is In-charge Joint Commissioner (General), he shall conduct enquiry as per the instructions issued in the reference 13th cited and furnish his Enquiry Officer Report to the Government.

14. In the reference 16th read above, the Commissioner, Telangana Vaidya Vidhana Parishad has informed that, after formation of Telangana State and bifurcation of Vaidya Vidhana Parishad, no Joint Commissioners Post has been sanctioned or allotted to the Telangana Vaidya Vidhana Parishad, Hyderabad.

15. In view of the above, as earlier Enquiry Officer retired from service and presently there is no post of Joint Commissioner (General) in Vaidya Vidhana Parishad, the Government after careful examination of the entire issue, hereby appoint the District Coordinator of Hospital Services, Hyderabad as an enquiry officer to conduct further enquiry as per Rule, 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991, and submit his report with in two months against Dr.G.Bala Kishan Rao, Retired Civil Surgeon Specialist.

16. The Commissioner, Telangana Vaidya Vidhana Parishad, Hyderabad is also requested to provide the required material / information to the Inquiry Officer and to take necessary steps to furnish the Enquiry Officer Report with in the stipulated time.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SURESH CHANDA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Coordinator of Hospital Services, Hyderabad & Inquiry Officer
through the Commissioner, Telangana Vaidya Vidhana Parishad, Hyderabad.
The Commissioner, Telangana Vaidya Vidhana Parishad, Hyderabad.

Copy to:

The individual **through** the Commissioner,
Telangana Vaidya Vidhana Parishad, Hyderabad.
SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER